

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

CUSTOMS AND TAX ADMINISTRATION
OF THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX
REFUND LITIGATION

Case No. 1:18-MD-2865 (LAK)

Pertains to case numbers:

18-CV-5053, 18-CV-9797, 18-CV-9836, 18-
18-CV-9837, 18-CV-9838, 18-CV-9839, 18-
CV-9840, 18-CV-9841, 18-cv-10100

**NOTICE OF THIRD-PARTY DEFENDANT ED&F MAN CAPITAL MARKETS, LTD.’S
MOTION TO DISMISS
THE THIRD-PARTY COMPLAINT OF ACER INVESTMENT GROUP, LLC**

PLEASE TAKE NOTICE that, in accordance with Federal Rules of Civil Procedure 12(b)(2), 12(b)(6) and 14, Third-Party Defendant ED&F Man Capital Markets, Ltd. (“ED&F”) hereby respectfully moves this Court, before the Honorable Lewis A. Kaplan, United States District Judge, Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 21B, New York, NY 10007, for an order dismissing the Third-Party Complaint of Acer Investment Group, LLC (“Acer”) (ECF No. 527) in its entirety.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered by the Court on February 18, 2021 (ECF No. 537), Acer’s response is due on or before May 14, 2021, and ED&F’s reply is due on or before June 4, 2021.

BINDER & SCHWARTZ LLP

Dated: April 15, 2021
New York, NY

By: /s/ Neil S. Binder
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